

REMARKS

A prior response to a Notice of Non-Compliant Amendment mailed on June 23, 2005 was filed by FAX on July 5. The Examiner indicated that claims 2, 3 and 9 were not in compliance.

In a telephone conversation with Examiner Ramesh Patel on August 22, 2005, the following changes to the claims were agreed to bring the Amendment filed on February 23, 2005 into compliance:

(1) In claim 2, deletion of the word "a" in claim 2 is now by double brackets rather than strikcut so it clearly shows up in a FAX copy.

(2) In claim 3, the relationship between the first and second device is changed to "integral" from "the same."

(3) In claim 9, the word "rceive" was changed to "encode" in order to avoid confusion with the terms receiver and radio receiver. Note, the need for a change to claim 9 was discussed, but the change made was not, but is based on the conversation regarding claim 9.

Claim 39 had been changed in the response filed on June 23, 2005 and was not discussed. In claim 39, the preamble claim 39 indicates an apparatus.

Since, the amendment filed on February 23, 2005 was in response to a non-final office action, only the corrected section of the non-compliant amendment is submitted in this paper as stated in the Notice of Non-Compliant Amendment.

CONCLUSION

Applicants have changed the deletion of the word "a" in claim 2 so it clearly shows up in a FAX copy, have changed the wording in claim 3 of relationship between the first and second device are "integral" rather than "the same", have changed "receive" to "encode" in claim 9. The preamble of claim 39 was directed toward an apparatus in an earlier filed response. Applicants believe the Amendment is now in compliance. The Director is hereby authorized to charge and/or credit Deposit Account 09-0456.

Respectfully submitted,
FOR: Beaulieu et al.

Dated: 08/22/2005

BY: Jack P. Friedman
Jack P. Friedman
Reg. No. 44,688
FOR:
Anthony M. Palagonia
Registration No.: 41,237

3 Lear Jet Lane, Suite 201
Schmeiser, Olsen & Watts
Ithaca, New York 14850
(518) 220-1850
Agent Direct Dial Number: (802)-899-5460